



Ontario: Annual Statutes

1984

c 61 Highway Traffic Amendment Act, 1984 (No. 2)

Ontario

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Bibliographic Citation

Highway Traffic Amendment Act, 1984 (No. 2), SO 1984, c 61

Repository Citation

Ontario (1984) "c 61 Highway Traffic Amendment Act, 1984 (No. 2)," *Ontario: Annual Statutes*: Vol. 1984, Article 63.

Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1984/iss1/63

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CHAPTER 61

An Act to amend the Highway Traffic Act

Assented to December 14th, 1984

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 26 (2) of the *Highway Traffic Act*, being chapter 198 of the Revised Statutes of Ontario, 1980, as re-enacted by the Statutes of Ontario, 1984, chapter 21, section 4, is repealed and the following substituted therefor:

(2) In determining whether a conviction is a subsequent conviction or an additional subsequent conviction, as the case may be, for the purpose of clauses (1) (b) and (c), the only question to be considered is the sequence of convictions and no consideration shall be given to the sequence of commission of offences or whether any offence occurred before or after any conviction.

Determining
subsequent
conviction

(2a) Clauses (1) (b) and (c) do not apply when the subsequent conviction is more than five years after the previous conviction.

Five year
limitation

2.—(1) Subsection 44 (1) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the second line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(2) Subsection 44 (5) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the fifth and sixth lines and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(3) Subsection 44 (10) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the second line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(4) Subsection 44 (11) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the sec-

ond line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(5) Subsection 44 (13) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the second line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(6) Subsection 44 (17) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the second line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(7) Subsection 44 (19) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the third and fourth lines and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(8) Subsection 44 (23) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the second line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(9) Subsection 44 (24) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the second line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(10) Subsection 44 (25) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the second line and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(11) Subsection 44 (26) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the fourth and fifth lines and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

(12) Subsection 44 (27) of the said Act is amended by striking out “after sunset to one-half hour before sunrise” in the fourth and fifth lines and inserting in lieu thereof “before sunset to one-half hour after sunrise”.

3. Section 60 of the said Act is amended by adding thereto the following subsection:

(3) The Lieutenant Governor in Council may make regulations exempting any class of persons or vehicles or any use of equipment or type of equipment from the provisions of this section.

4. Subsection 104 (1) of the said Act is amended by striking out "subsection 23 (1)" in the first line and inserting in lieu thereof "subsection 15 (1)".

5. Clause 122 (7) (b) of the said Act is amended by striking out "yellow" in the second line and inserting in lieu thereof "amber".

6. Subsection 151 (7) of the said Act, as re-enacted by the Statutes of Ontario, 1984, chapter 21, section 19, is amended by striking out "subsection 147 (1)" in the twelfth line and inserting in lieu thereof "clause 147 (1) (a)".

7. Subsection 184 (1) of the said Act, as amended by the Statutes of Ontario, 1983, chapter 63, section 44, is repealed and the following substituted therefor:

(1) A judge, provincial judge or justice of the peace who makes a conviction for an offence under this Act or under any other Act of the Legislature or the Parliament of Canada or any regulation or order made under any of them committed by means of a motor vehicle, motorized snow vehicle or street car or for an offence under a municipal by-law regulating traffic on the highways, except convictions for offences for standing or parking or the clerk of the court in which the conviction is made, shall forthwith certify the conviction to the Registrar, setting out the name, address and description of the person convicted, the number of his driver's licence, the number of the permit of the motor vehicle or the registration number of the motorized snow vehicle, as the case may be, with which the offence was committed, the time the offence was committed and the provision of the Act, regulation, order or by-law contravened.

Report on
conviction
to Registrar

8. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

9. The short title of this Act is the *Highway Traffic Amendment Act, 1984* (No. 2).

Short title

